

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America )

v. )

Jose Reynaldo GYRON-Bueso )

Citizen of MEXICO )

YOB: 1991 )

Case No. M-19-1086-M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 13, 2019 in the county of Starr in the  
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 18, U.S.C. 111(b)

whoever forcibly assaults, resists, opposes, impedes, intimidates, or  
 interferes with any person designated in section 1114 of Title 18 while  
 engaged in or on account of the performance of official duties.

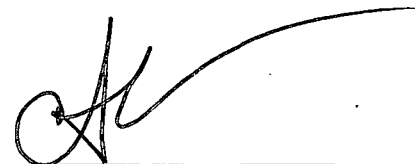
This criminal complaint is based on these facts:

See Attachment A

Approved by AUSA Scott Greenbaum

☒ Continued on the attached sheet.

Approved by Scott Greenbaum, AUSA 5/13/2019  
 Scott Greenbaum



Complainant's signature

Carlos Soto, Task Force Officer, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 5/13/19 - 5:22 p.m.


Judge's signature

City and state: McAllen, Texas

Juan F. Alanis, United States Magistrate Judge

Printed name and title

## **Attachment "A"**

### **Affidavit**

I, Carlos Soto, being first duly sworn, state as follows:

1. I, Carlos Soto, am a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI) in McAllen, Texas, and have been employed as a law enforcement officer with the U.S. Border Patrol since April, 2007. I am currently assigned to the FBI Rio Grande Valley Safe Streets Task Force in McAllen, Texas.

2. The information contained in this affidavit is based on my personal knowledge and on information provided to me by other agents of the FBI, law enforcement officers, and other sources of information. This affidavit serves to provide the probable cause in support of a complaint against Jose Reynaldo GYRON-Bueso for violating Title 18, U.S.C., Section 111 (b), Assault on Federal Officer.

3. On May 13, 2019 at approximately 4:00 am, in accordance with his official duties as a Border Patrol Agent C. T. was conducting line-watch duties when the Alpha 5 camera operator reported over the service radio that a raft was along the river bank and several subjects had entered the United States, up river of the Roma, Texas Port of Entry. Border Patrol Agent C.T. responded to the area of Portsheller and Wasington Avenue in Roma, Texas near an area known to Border Patrol Agents as "Double Light Plants." Border Patrol Agent C.T. parked his service vehicle and proceeded to conduct his duties on foot. Border Patrol Agent C.T. witnessed several subjects running north past his location to the area of several abandoned houses.

4. Border Patrol Agent C.T. and other Border Patrol Agents proceeded to conduct a search of the abandoned houses and apprehended several subjects without incident.

5. Border Patrol Agent C.T. was advised over the service radio, by the A5 camera operator that additional subjects had gone further east. Border Patrol Agent C.T. deployed his service issued K9 and began a search further east for additional subjects.

6. The K9 directed himself the rear property of an abandoned house and alerted to the presence of a male subject who was hiding, later identified as Jose Reynaldo GYRON Bueso. The k9 positioned herself next to GYRON, Border Patrol Agent C.T. identified himself as Border Patrol in the Spanish language.

7. After Border Patrol Agent C.T. identified himself, GYRON began to maneuver from side to side in efforts to avoid being apprehended by Border Patrol Agent C.T. GYRON then extended his arms and lunged toward Border Patrol Agent C.T. striking Border Patrol Agent C.T. in the neck and chest. As a result, Border Patrol Agent C.T. fell to the ground on his back and let go of the k9's leash.

8. Border Patrol Agent C.T. was able to use his arms and feet to gain control of GYRON's legs. As Border Patrol Agent C.T. held on to GYRON's legs, GYRON used his Knees several times to

strike Border Patrol Agent C.T. on his chest, GYRON also used his fists to punch Border Patrol Agent C.T. several times on top of his head upper body. Border Patrol Agent C.T. grabbed GYRON and pulled GYRON towards him and struck GYRON on the head two times, with his right fist while holding a flashlight in his right hand.

10. GYRON rolled to the left of Border Patrol Agents C.T. and landed on his hands and knees. Border Patrol Agent C.T. dropped the flashlight and grabbed GYRON's right hand in order to place handcuffs on him but GYRON began to motion his elbow back striking Border Patrol Agent C.T. on the chest. Border Patrol Agent C.T. then punched GYRON on his right shoulder and on his right jaw with his fist.

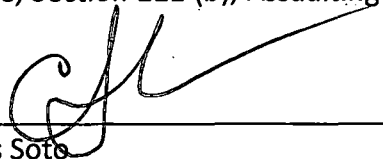
11. Border Patrol Agent F.S. heard Border Patrol Agent C.T. yelling that the subject was fighting. Border Patrol Agent F.S. proceeded to assist and witnessed GYRON with his hands and knees on the ground and Border Patrol Agent C.T. on top of GYRON attempting to subdue him. Border Patrol Agent F.S. grabbed onto GYRON's left arm and cuffed it, while Border Patrol Agent C.T. grabbed GYRON's right arm and was able to place the handcuff on GYRON's right arm.

12. Border Patrol Agent C.T. had pain to his left leg, right hand, and discomfort to his right eye due to the altercation. Border Patrol Agent C.T. will be seeking medical attention due to the injuries he received.

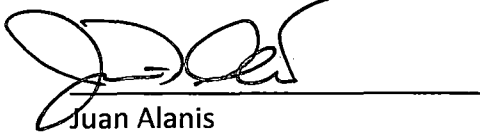
13. Border Patrol Agent C.T., is an officer and employee of the United States, namely a person designated in section 1114 of Title 18.

14. Subsequent to the apprehension of Jose Reynaldo GYRON-Bueso, it was determined that he is a citizen of Honduras, and was illegally present in the United States.

15. Based on the aforementioned factual information, your Affiant respectively submits that GYRON, committed violations of Title 18, United States Code, Section 111 (b), Assaulting a Federal Officer.

  
\_\_\_\_\_  
Carlos Soto  
Task Force Officer  
Federal Bureau of Investigation

Sworn to and subscribed before me this 13<sup>TH</sup> day of May, 2019.

  
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Juan Alanis  
United States Magistrate Judge